



12/19/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: A-70197-1/RMS/AXG/JML

Anticipated Classification of this Application:

Class: 435

Subclass: 007.100

Prior Application

Examiner: Chris CHIN

Goup Art Unit: 1641

Box PATENT APPLICATIONAssistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing a(n)

- ☒ Original
☐ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Chan-Long SHIEH, Barbara FOLEY, Huinan Yu, and Vi-En CHOONG
 (Names of ALL Applicants)

for BIOCHANNEL ASSAY FOR HYBRIDIZATION WITH BIOMATERIAL
 (Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/438,600, filed on 12 November 1999.

1. ☐ Enclosed is a new application.
☐ Enclosed is a continuation-in-part application.
☒ Enclosed is a copy of the prior application.
 2. ☐ Enclosed is a new Declaration.
☒ Enclosed is a copy of the prior Declaration as originally filed.
 3. ☐ Applicant claims small entity status (see 37 CFR 1.27)
 4. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(i) (Form PTO/SB/35)
 5. ☐ Genetic Sequence Submission: Paper copy, Computer Readable Copy; Statement Verifying Identical Paper and Computer Readable Copy
 6. ☐ The filing fee is calculated below:
☐ Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)		(Col. 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED		NO. EXTRA		RATE	FEE	RATE	FEE
BASIC FEE						\$370		\$740
TOTAL CLAIMS	<u> </u> - 20 =		*		× 9 =	\$	× 18 =	\$
INDEP CLAIMS	<u> </u> - 3 =		*		× 42 =	\$	× 84 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED	<u> </u> yes_no				+140 =	\$	+280 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2					TOTAL	\$	TOTAL	\$

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DATE OF DEPOSIT 19 December 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
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 OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE
 INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT
 COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Dawn K. GRINER

SIGNED



No Fee

1. ☒ Our check in the amount of \$ _____ is enclosed in payment of the above-calculated filing fee.
The Commissioner is hereby authorized to charge the above-calculated filing fee to Deposit Account No. 06-1300 (Order No. _____).
☒ The filing fee is NOT being submitted with this transmittal letter.
8. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. _____).
9. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
10. ☐ Amend the specification by inserting before the first line the sentence:
- This is a ☒ continuation ☐ divisional ☐ continuation-in-part
of application Serial No. 09/438,600 filed 12 November 1999 --
11. ☒ Informal drawings are enclosed. (copy as filed in parent application)
☒ Formal drawings are enclosed. (subsequently rendered to correct informalities of originally filed drawings)
12. ☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.
☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.
13. ☒ The prior application is assigned of record to MOTOROLA, INC. (copy of recorded assignment enclosed)
14. ☐ The power of attorney in the prior application is to:

Name: Robin M. SILVA, et al.
Flehr Hohbach Test Albritton & Herbert LLP
Address Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187

The power appears in the original papers in the prior application.

Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

A new power has been executed and is enclosed.

Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

13. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/438,600 as originally filed on 12 November 1999.

Date: 19 December 2001

Signature: _____

Robin M. SILVA
Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
4 Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)